

**Mayor and City Council of New Castle  
Public Hearings (6:30 PM and 6:45 PM) and Regular Council Meeting  
New Castle Town Hall–Delaware Street–New Castle  
Tuesday, August 10, 2004**

**Public Hearing to Consider the Proposed Placement of a Stop Sign at Second and Chestnut Streets**

President Castagno called the first Public Hearing to order at 6:30 PM. He announced that the placement of a stop sign at Second and Chestnut is in the interests of public safety. He invited those in attendance to comment on the proposal. Councilperson Reese observed that there are now two stop signs at that location and that with three stop signs, people coming into town would be more likely to slow down.

In answer to a question, President Castagno explained that the lot at the end of Chestnut Street is a parking lot, not a turnaround.

Councilperson Padmalingam asked if Chestnut Street would eventually become a one-way street. Councilperson Reese disclosed that the street would be changed where it intersects with Route 9, but not within the City.

President Castagno adjourned the first Public Hearing at 6:38 PM.

**Public Hearing to Consider a Direction Change on Harmony Street between Fourth and Fifth Streets**

President Castagno called the second Public Hearing to order at 6:45 PM. He revealed that the change in the traffic pattern on Harmony Street, between Fifth and Fourth Streets was at the request of Very Reverend Arthur B. Fiore of St. Peters Church. He then yielded the floor to **Jim Steele**, Chairman of the Planning Commission. Mr. Steele explained that after extensive discussion of the issues, those involved decided on a tentative solution: to make Harmony Street two-way between Fourth and Fifth Streets, with a four-way stop sign at Fourth Street. The solution would be in effect on a two-month trial basis. He welcomed the input of the many residents of Fourth Street and Harmony Street in attendance. He then yielded the floor to **Jackie Seneschal**, the City Planner, who defined the problem.

Ms. Seneschal explained that the service drive for the cafeteria and the school on Harmony Street is about 50 feet north of the point toward the river at which the street becomes one-way. Some of the service vehicles that try to access the driveway in the back of the school drive the wrong way up the one-way street. After she and Mr. Steele visited the area, she doubts that Harmony Street can accommodate two-way traffic if parking is permitted on both sides of the street. She suggested to the Planning Commission that parking be limited to one side of the street if the

street becomes two-way. The Planning Commission expressed concern that this would limit parking spaces, when City parking spaces are already in short supply. They prefer to make the street two-way with parking on both sides of the street for a two-month trial period.

**Mr. Howell** revealed that he lives next door to the parking lot. He complained that people fly down Harmony Street at 60 miles an hour, slam on their brakes, and rip off expensive car mirrors. He has contacted the police, but they can do nothing unless they catch the offenders in the act.

**Al Vannucci** said that nine years ago when he was on the City Council, the Police Department surveyed the road because of the frequency of accidents there and concluded that the width of the street is too narrow for a two-way street if parking on both sides of the street is permitted.

**Nancy Coning McDowell**, who lives at Fourth and Harmony Street, identified some of the problems. She noted that in moderate to heavy rain the sewer overflows, thus creating hazardous conditions. School kids walk in the street, creating a potentially serious situation. Before the City installed a stop sign there, frequent accidents occurred, as well as annoying screeching of brakes. Now traffic flows relatively well, although she still acts as a traffic cop some times when school lets out. She thinks that the proposed change would create a keystone cops situation under the best of circumstances.

**Henry Patchek** noted that a few years ago, the City Council gave Gambacorta permission to go two ways on Cherry Street so that they could go in and out of their used car lot. He asked why the City couldn't do the same for St. Peters and make the street two ways to the parking lot and leave the rest of Harmony Street as it is. This would do away with only the two parking spaces in front of the school. Mr. Steele revealed that Mr. Patchak's suggestion was one of the solutions considered.

Another solution was to make Harmony Street one-way and the rest two-way from Fifth Street to the parking lot.

**Mr. Howell** asked where churchgoers would park. Mr. Patchek said that churchgoers could come down Fifth Street and turn on Harmony Street to the parking lot. He complained that this is not feasible because people fly up Harmony Street.

**David June of Washington Park** suggested initiating the two-way solution for specific times of the day, such as 8 AM to 5 PM when truck traffic is heavy. Mr. Steele agreed that service trucks are the major violators of the one-way rule.

**Nancy Coning McDowell** asked if a service road could be constructed on church property to solve the problem. She learned that no road could be built because the area is a designated wetland.

**Mike Alfree** expressed concerned about making one-third of the road one-way because many people travel Harmony Street the wrong way from Sixth Street. He suggested that this would

encourage more people to go the wrong way on Harmony Street, thus encouraging head-on collisions.

**Mr. Vannuci** said that accessing the used car lot from Cherry Street had problems because parking on both sides of the two-way street was difficult, so residents parked on the sidewalk. The Council solved the problem by putting up Do Not Enter signs at the entrance to the parking lot. He suggested doing the same at St Peters' driveway and then evaluating how well that works.

President Castagno asked **Ms. Seneschal** to sum up the options for dealing with the problem. She cited four options. Make the street:

- Two-way for a portion of the street to the driveway
- Two-way for the full block and eliminate parking on one side
- Two-way for a full block with parking allowed on both sides
- Two-way with parking on both sides on a two-month trial basis.

President Castagno then called for comments.

**Tom McDowell** suggested having a service road in the back around the gymnasium so that trucks could come up Harmony Street. This would keep Harmony Street as it is, prevent accidents, keep school children from being injured or killed, and retain much-needed parking spaces in the City.

**Mr. Howell** agreed with Mr. McDowell and asked if it would be possible to bring a road behind the auditorium to the parking lot and close the entrance to the parking lot on Harmony Street.

**Mr. McDowell** noted that the people using the parking lot could then go the same way as the trucks and that an unpaved road already exists there.

**Mr. Howell** said that a road cannot be made around the gymnasium.

**Mr. Steele** agreed and cited the presence of a playground area and wetlands there. Creating a road off the parking lot in front of the gymnasium would impact children going back and forth from the gymnasium and the cafeteria. Creating a road between the old high school and the gymnasium is not feasible because of inadequate space there. He noted that Father Fiore is out of town, but promised to consult him when he returns; however, he doesn't think it is possible to appease everyone.

**Mr. Howell** complained about the flooding on Harmony Street.

**Ms. Coning-McDowell** said that the planned change upsets a whole neighborhood to accommodate a few trucks. **Mr. McDowell** suggested that trucks go down Second Street to Harmony because it's Second Street is wider, thus an easier turn.

**Mr. Steele** said that trucks are only part of the problem and identified another concern: churchgoers rush to get into the parking lot for services instead of going down Fourth Street to

get into the parking lot. **Mr. Howell** noted that this is true on both Saturday nights and Sunday mornings.

**Tom Freebery** said that tractor-trailer trucks are the problem, and that they seem to have no problems unloading. He watched them unloading large boxes. If the direction change is approved, he doesn't think it will work unless no parking is permitted from the driveway up because two-way traffic will create problems especially when school children are dropped off.

President Castagno then asked Mr. Steele and Ms. Seneschal to contact Father Fiore to consider the proposed solutions more fully. **Jim Weldin** asked Mr. Castagno to present the plans to the City Engineer before any plans were finalized.

President Castagno adjourned the Public Hearing at 7:00 PM.

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President Castagno called the regular meeting of the New Castle City Council to order at 7:00 PM and led those assembled in the pledge of allegiance. He asked attendees to sign in and to take an agenda.

#### **Roll Call**

**Present:** President Castagno Councilperson DiAngelo  
Councilperson Padmalingam Councilperson Reese

**Absent:** Councilperson Miller

**Others Present:** Lieutenant Adam Brams, Treasurer Janet Carlin, Senator Dori Connor, Finance/Human Resources Director Marian Delaney, Public Services Director Jim Weldin

#### **Approval of Minutes by Date**

President Castagno called for the approval of the minutes by date. Councilperson Reese moved to accept the minutes. Councilperson Padmalingam seconded the motion. Councilpersons DiAngelo, Padmalingam, and Reese approved the minutes. The motion carried.

#### **Approval of Treasurer's Report**

Treasurer Janet Carlin reported that as of July 31, 2004:

- Cash on hand totaled \$270
- Monthly deposits totaled \$419,080.33
- Wilmington Trust Accounts totaled \$387,947.27
- Certificates of Deposit totaled \$13,577.10
- Cash on hand totaled \$401,524.37.

Councilperson Reese moved to accept the treasurer's report. Councilperson Padmalingam seconded the motion. Councilpersons DiAngelo, Miller, Padmalingam, and Reese approved the motion. The motion carried.

### **Approval of Department Directors' Reports**

**Public Service Director Jim Weldin reported on the following.**

The Trustees contributed \$12,480 to the City for the **wharf railing**. An addendum to the contract has been signed. Backflips was to present their performance bond the next day. The City will issue Backflips a check for \$12,480, assuming all paperwork has been completed. The steel will be ordered within the next day or two, and delivered within 25 days. Installation should occur no later than early October, with completion anticipated by late November.

**Street paving projects** are moving forward. Municipal Services has committed \$100,000 towards replacement of the water line and installation of period lighting for the **Ninth Street rebuild**. The City has applied to the Department of Natural Resources for permits to replace the drainage culvert under Ninth Street. City Engineer Dave Athey reported that apparently some positive action has occurred.

Representatives from the City, Century Engineering, and the contractor Grassbusters attended a pre-construction meeting on **Greenway Construction**. Work was scheduled to begin Monday, August 16, 2004, on the Heritage Trail project.

Mr. Weldin has secured commitments of \$80,000 for the next five years for **The Friends of New Castle Parks and Beautification** project. Zenith provided a \$5,000 contribution. Premcor, which agreed to serve as Parks sponsor, is committing \$5,000 a year for the next five years for a total of \$25,000. Daystar Sills has done the same. Greggo and Ferrara have pledged to serve as park sponsor. They will provide in-kind contributions of material, manpower, and personnel. Their donation will help **rebuild basketball courts** in Susi, Van Dyke, Bull Hill, and Penn Valley. Construction of the new basketball court in Penn Valley is expected to begin within the next two weeks, thanks to the Greggo and Ferrara's contribution. A basketball net and backboard have been ordered for the new Penn Valley Park. Bond bill money acquired through Senator Connor can be used for the necessary 40% match.

The **certified playground mulch** has arrived. Construction of the safety zones around swing sets will begin in Bull Hill, Susi, Van Dyke, and Penn Valley. Additional hardware for swing sets has been ordered and is expected to arrive in a week.

Within a month, Mr. Weldin hopes to have swing sets and basketball courts in parks. He will soon order small tot structures, which will be installed in the Bull Hill and Susi parks. He promised that he and Councilperson Padmalingam would continue to search for funding for further improvements.

**Mr. Steele** suggested using topsoil to eliminate the free-standing water around the playground area in Battery Park. Mr. Weldin replied that drains rather than topsoil would be used to

eliminate the problem. He will wait until October to build drains to dry up the water there. He said that the wet year has created an unusual situation.

Rob Chambers, the **Code Enforcement Officer, has resigned.** His full-time position as auditor for the US Army requires extensive travel around the country. As a result, he is unavailable for his part time position in the City. Applicants are being interviewed. Sergeant Chambers will assist in transferring active cases.

Councilperson Reese noted that the contractors of the new apartment complex are dumping dirt across the street. He asked if the land involved is wetlands. Mr. Weldin replied that it is not and that it would be developed in the future. He also said that the Conservation District has approved a plan for topsoil fill. Councilperson Reese then thanked Mr. Weldin for his efforts on the parks. He replied that he and Councilperson Padmalingam have just scratched the surface. He has developed a five-year plan that involves a budget of \$250,000.

In addition to the Bond Bill money that Senator Connor had acquired for the City, Mr. Weldin applied for other funding. If that comes through, he may not need most of Senator Connor's money. It has already been approved that any money that the City doesn't use can be transferred to the parks. We will have a 40% match, "at least \$20,000 now and hopefully more in the future." He estimates that the City presently has approximately \$100,000 scheduled for work on the parks within the next five years.

Councilperson Padmalingam said that the long term plan is to first approach big businesses and then small businesses, which can contribute as little as \$100. Even individuals can contribute money. He believes that people are interested in rebuilding the parks and will contribute. The business people he spoke with want to give back to the community. The result is that the City will have the beautiful parks that the residents deserve.

Mr. Weldin said that they are relying on publicity to generate interest in the parks project. The City will include a pamphlet about the project in the business license bills.

#### **Lieutenant Adam Brams spoke for Chief McDerby.**

Lieutenant Brams read a letter from Ralph Reed, Director of DeIDOT, in response to Chief McDerby's letter concerning the connection between Buttonwood Avenue and Howard Drive. The letter revealed that the connection between Howard Drive and Buttonwood Avenue could not be closed without a clear understanding of the consequences. To that end, the DeIDOT's Traffic Section has agreed to look at that intersection to better understand the issues, develop a list of workable solutions, and determine what resources will be needed to implement the project. Mr. Stephen Truit of DeIDOT's Traffic Section will supervise the study. He will contact Chief McDerby about an appropriate time to visit the site. It will take from six to eight weeks to complete the study.

Because of the limited time remaining to train another park patrol officer, there are no plans to replace the officer who resigned.

## Communications

At Councilperson Miller's request, Councilperson Reese read a letter from Robert Bredin concerning 728 Center Street in the Dobbinsville area. He announced that he is interested in donating the parcel to the City. Councilperson Reese explained that Mr. Breve had sold the house, but the person who bought the house did not want to buy the parking space across the street. He now wants to donate the parking space to the City. He stated that he would not expect to receive any proceeds from the sale or to pay any fees involved in the transfer.

Councilperson Reese doubts that the City wants the parking space, and he plans to pass the letter to the Trustees since they already own property there. President Castagno noted that a matter of protocol, the Council must vote on the offer. He said that the offer would be an item on the next Council meeting's agenda.

Councilperson DiAngelo revealed that the City already owns property there. When the City wanted to put curbing there a few years ago some people donated their parking spaces, but others said no.

President Castagno read a letter from John DiMondi stating his objections to the City paying \$350,000, the total cost of **"bringing the street up to DOT specs and for utility upgrades" for the Deemer Place Apartment Complex**. He pointed out that the normal cost to pave the street would be \$26,000. He question why the City is paying \$150,00 and MSC \$100,000 to "upgrade this street for a private developer." Taking the money from the City's street allowance is "totally unacceptable considering the [City's] financial crisis" and the need to resolve some of the City's other problems. "The cost should be born by the developer." There were no comments from the floor.

President Castagno then asked for comments on the agenda items. David June raised an objection to an item from a director's report. President Castagno asked him to save his objection until Comments from the Floor.

President Castagno announced that there is a local government meeting on September 19, 2004, for Council members and Directors. Those who wish to attend should let Jean Williamson know by September 10, 2004.

Amazon.com has invited City residents to attend a celebration on August 20 at 2:00 PM to mark their acceptance into OSHA's Star Volunteer Protection Program.

## Unfinished Business

There was no unfinished business.

## New Business

**Appointment of Election Committee and Chairperson:** President Castagno announced that there are three vacancies on the Election Committee. He then submitted the names of Tom

Maddux and Linda Merry Maddux as candidates to fill the vacancies, with one to serve as Chairperson. He asked for other nominations. Councilperson Reese suggested that Grace Hayford continue on the Committee. Councilperson DiAngelo agreed.

President Castagno explained the positions involved planning out the election with the Election Committee in April 2005. Councilperson DiAngelo moved to appoint Tom Maddux and Linda Merry Maddux to serve on the Election Committee, with Tom Maddux as Chairperson and Linda Merry Maddux as a Committee member. Councilperson Reese seconded the motion. Councilpersons DiAngelo, Padmalingam, and Reese approved the motion. The motion carried.

**Planning Committee's Proposed Changes to the Zoning Code:** President Castagno called on Jim Steele to explain the proposed changes to the zoning code that were developed within the last two years. Mr. Steele explained that the City's comprehensive plan contained the vision plan, the action plan, the recently completed City zoning map, and the MOU from the State Planning Office for primary land use.

The final portion addressed was the zoning code. Each Council member received a copy of the amended code with changes clearly indicated. He now wants to have a workshop with the City Council to go through the changes item by item. He believes that the community can be better served if the changes are understood.

President Castagno suggested setting a date for meeting with the Planning Commission within two weeks to identify issues and concerns. He asked Mr. Steele to talk with Jean Williamson about duplicating copies of the amended code and making them available to the public. He noted that the amended zoning code is complicated, that one public hearing had already been held, and that the Planning Commission used the feedback from that meeting to rework the code. The code will be again subjected to a public hearing, hopefully at the next Council meeting. President Castagno reminded that an ordinance is required to change the zoning code.

### **Comments from the Floor**

**David June** addressed the Council on two safety concerns. One concerns the **wood for the swings** being purchased for the parks. He noted that some of that wood is chemically treated. The second concern is the **141 project**. While he and his wife were driving on Route 141, a piece of road equipment shot out in front of them. No signs warn drivers about the dangers of the equipment, and equipment drivers seem unaware of the dangers they present. He noted that the Route 141 project has taken far more time than the estimated completion date. However, his objection is to the project's disregard for public safety and the traffic slowdowns. He complained that it takes 35 minutes to go from his house in Washington Park to the Thriftway.

President Castagno invited **Senator Connor** to comment on the Route 141 project. She suggested calling the direct line at 429-8444 to make his concerns known. She revealed that when a similar problem occurred in another part of her district, that district hired off-duty police to rectify the situation. President Castagno asked Senator Connor if she knew when the project would be completed. She replied that Labor Day was the promised completion date. She



explained that making the islands look like brick completion and top coatings around intersections were major factors in delaying the projects.

**Charles Newton of 755 West Twelfth Street in Washington Park** asked if the City could put up signs forbidding trucks from coming into Washington Park. He complained that the roads there are not designed for trailer trucks and dump trucks. The sidewalk and the curbs at 11<sup>th</sup> and 12<sup>th</sup> Street are broken. One day he had a trailer truck parked in his front yard. The trucks are trying to get into Centerpoint. He wants Centerpoint to put up signs to clearly show trucks how to get in there, and the City to put up signs forbidding trucks to enter Washington Park. He complained that the police have been no help.

He also wants to know what happens to the complaint forms that people fill out and return. He cited the ordinance that prohibits parking on lawns. He said that a car has been parked on the lawn at 739 West Twelfth Street for months. He submitted a complaint form, but nothing has been done. President Castagno disclosed that it is no longer necessary to turn in complaint forms. Now, complaints can be phoned in anonymously. The number to call is 322-9813. It goes to a centralized location, where it is recorded and forwarded to the proper enforcement agency for investigation.

**David Gunyuzlu** asked if the traffic pattern on Harmony Street was going to change, and if so, what impact the change would have. President Castagno said that the proposed change was in response to a request from St. Peters Church, that the Council had held a public hearing, and that no final decision had been reached on the proposed change. He said that there would be another public hearing before traffic changes are made.

**Barbara Alfree** wants a trash receptacle installed at the recycling site on Chestnut Street. She complained that people dump trash and yard waste there. She suggested moving the trash receptacle from the bridge to the recycling area. Mr. Weldin agreed that the recycling area is becoming a dump. President Castagno asked if the recycling area is in an appropriate location. Mr. Weldin replied that it is, but another area could be found if the problem continues.

**Earl Carpenter** asked Lieutenant Brams if the new State law could help to eliminate the problem of loud cars and radios. Mr. Carpenter said at quitting time on Sixth Street, the windows actually vibrate. Lieutenant Brams said that the charge could be disorderly conduct, but stopping the offenders is hit or miss.

### **Meeting Adjourned**

President Castagno said there would be a meeting in two weeks on the draft of the zoning proposal. He then asked for a motion to adjourn. Councilperson DiAngelo moved to adjourn. Councilperson Reese seconded the motion. Councilpersons DiAngelo, Padmalingam, and Reese all approved the motion. The motion carried. The meeting adjourned at 7:59.

**Next Scheduled Meeting**

The next City Council meeting is scheduled for September 14, 2004.

Respectfully submitted,

Darcy Mozer  
City Clerk